

**UNITED STATES DISTRICT COURT
THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE: DAVOL, INC./C.R. BARD,
INC., POLYPROPYLENE HERNIA
MESH PRODUCTS LIABILITY
LITIGATION**

Case No. 2:18-md-2846

**Judge Edmund A. Sargus, Jr.
Magistrate Judge Kimberly A. Jolson**

**This document relates to:
Proctor v. Davol, Inc. et al.
Case No. 2:21-cv-132**

ORDER

On September 28, 2022, the Court granted Defendants' Motion to Compel Plaintiff Profile Form ("PPF") and ordered Plaintiff to produce the PPF within 14 days, and indicated that if Plaintiff did not comply the Court intended to dismiss the case. (ECF No. 8.) On November 22, 2022, Defendants filed a notice indicating that Plaintiff had not produced the PPF and requesting that the Court dismiss Plaintiff's case with prejudice. (ECF No. 10.) Also on November 22, Plaintiff's counsel filed a response with an attached declaration indicating her efforts to contact Plaintiff over a period of six months via telephone, email, U.S. Mail, and other methods. (ECF No. 11.) Plaintiff's counsel asked for an extension of time, or in the alternative, that the matter be dismissed without prejudice. (*Id.*) Considering counsel's many efforts to contact Plaintiff, the Court does not believe that an extension of time would be fruitful. Therefore, because Plaintiff has not produced the PPF as required by this Court's order and by Case Management Order No. 8 (Case No. 18-md-2846, ECF No. 57), Defendants' Motion to Dismiss (ECF No. 10) is **GRANTED**

and Plaintiff's case is **DISMISSED WITHOUT PREJUDICE**.

IT IS SO ORDERED.

2/23/2023
DATE

s/Edmund A. Sargus, Jr.
EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE